

Notes over The Constitution

Section One: The Six Basic Principles

Constitution is organized in the following section:

- the Preamble
- Article I - Congress
- Article II - Presidency
- Article III - Federal Court System
- Article IV - States
- Article V - How to Amend the Constitution
- Article VI - Constitution is the nation's supreme law
- Article VII - Requirements for ratification of the Constitution
- Amendments - There are currently 27.

Basic Principles

- Popular Sovereignty, Limited Government, Separation of Powers, Checks and Balance, Judicial Review, and Federalism.
- Popular Sovereignty
 - All political power is held by the people.
 - The people are the **ONLY** source for all government power.
 - Government governs with the consent of the governed.
 - "We the People of the United States....."
 - The National Government receives its power from the people.
 - State governments draw its authority from the people of that State through State's constitution.
- Limited Government
 - No government is all-powerful. Government can only do those things that the people have given it the power to do.
 - Government must obey the law.
 - **Constitutionalism** - that government must be conducted according to constitutional principles.
 - **Rule of Law** - Government and its officers are always subject to the law.
- Separation of Powers
 - Basic powers are distributed between the three branches of government.
 - Constitution distributes powers equally between the Congress, President and Courts.
- Checks and Balance
 - The three branches of the Federal government are tied together by the system of checks and balance.
 - **Checks and Balance** - Each branch of government is subject to a number of constitutional checks by the other branches.
 - Each branch has certain powers to check the operations of the other two.
- Judicial Review
 - **Judicial Review** - power of the courts to determine whether what government does is in accord with what the Constitution provides.

- Power of the court to determine whether the action of the government are constitutional.
- **Unconstitutional** - to declare illegal, null and void, of no force and effect - a governmental action found to violate the Constitution.
- The Supreme Court established the power of judicial review in the case of *Marbury v. Madison*.
- Federalism
 - **Federalism** - The division of power among a central government and several regional governments.
 - Powers held by the government are distributed on a territorial basis.
 - The National Government holds some of those powers and others belong to the 50 States.